



PATENT
00SC137US8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: J. DeNatale et al.

Examiner: B. Rojas

Serial No. 10/676,875

Art Unit: 2832

Filed: September 30, 2003

Title: 1:N MEM SWITCH MODULE

Petitions Atty:
Edward J. Tannouse

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO DECISION REFUSING STATUS UNDER 37 CFR §1.47(a)
IN LIEU OF REQUEST FOR RECONSIDERATION OF PETITION**

Sir:

This paper is filed in response to the Decision Refusing Status Under 37 CFR §1.47(a) mailed May 24, 2006.

The prosecution of the instant application has resulted in the amendment of some claims and the cancellation of other claims. As a result, the correct number of inventors for the claims as presently constituted is fewer than all of the currently named inventors.

Accordingly, an Amendment correcting inventorship was filed on July 14, 2006. Specifically, the following names have been deleted as inventors for the instant application, as they are not actual inventors of the invention being claimed:

Gabriel M. Rebeiz
Guan-Leng Tan

The lack of signed Declarations from Gabriel M. Rebeiz and Guan-Leng Tan was the reason a "Notice to File Missing Parts of Application" was originally issued. The applicants filed a "Petition Under 37 CFR §1.47(a)" in response, which was dismissed by means of the "Decision Refusing Status Under 37 CFR §1.47(a)" mailed May 24, 2006.

However, as a result of deleting Rebeiz and Tan as named inventors, there is no longer any need for signed Declarations from them, and therefore no longer any need for a Petition Under 37 CFR §1.47(a). Therefore, no reconsideration of the Petition is needed or requested.

It is the applicants desire that the application, which has been issued a Notice of Allowance, proceed to issue with the inventorship indicated in the afore-mentioned Amendment.

It is presumed that this response is sufficient to avoid abandonment of the application.

Respectfully submitted,



Steven C. Patrick
Registration No. 40,341
Attorney for Applicant

July 14, 2006

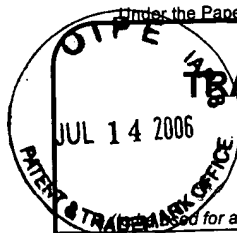
KOPPEL, PATRICK & HEYBL
555 St. Charles Drive, Suite 107
Thousand Oaks, California 91360
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TRANSMITTAL
FORM

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Total Number of Pages in This Submission

5

Application Number 10/676,875

Filing Date September 30, 2003

First Named Inventor Jeffrey F. DeNatale

Art Unit 2832

Examiner Name Edward J. Tannouse

Attorney Docket Number 00SC137US8

ENCLOSURES (Check all that apply)

- | | | |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Request for Refund | Response To decision Refusing Status Under 37 CFR 1.47 (a) In Lieu Of Request For Reconsideration Of Petition |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> CD, Number of CD(s) _____ | Return Postcard |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> Landscape Table on CD | |
| <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application | Remarks | |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name KOPPEL, PATRICK & HEYBL

Signature

Printed name

STEVEN C. PATRICK

Date

July 14, 2006

Reg. No.

40,341

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as Express mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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Typed or printed name

JOAN HARRIMAN

Date

July 14, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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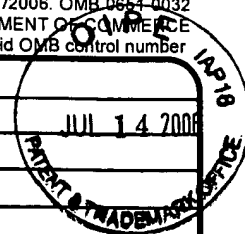
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2006☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 0

Complete if Known

Application Number	10/676,875
Filing Date	September 30, 2003
First Named Inventor	Jeffrey F. DeNatale
Examiner Name	Edward J. Tannouse
Art Unit	2832
Attorney Docket No.	00SC137US8

**METHOD OF PAYMENT (check all that apply)**
☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 18-1750 Deposit Account Name: DAVID J. ZOETEWEE

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

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FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Fee (\$)	Small Entity Fee (\$)
50	25
200	100
360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
15 - 20 or HP =	0	50	0

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
1 - 3 or HP =	0	200	0

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims
Fee (\$) Fee Paid (\$)

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____ - 100 =	_____ / 50 =	_____ (round up to a whole number)	x _____ =	_____

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

Fees Paid (\$)**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent) 40,341	Telephone (805) 373-0060
Name (Print/Type)	STEVEN C. PATRICK		Date July 14, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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